

EXHIBIT 10



Driving progress
through partnership

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March 19, 2020

By Electronic Mail

Paul Farrell
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Brandon Bogle
Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.
316 South Baylen St.
Pensacola, FL 32502

Re: In Re National Prescription Opiate Litigation, No. 17-md-2804

Cabell County Commission v. AmerisourceBergen Drug Corporation, et al., Case No. 1:17-op-45053 (S.D. W. Va.)

Dear Counsel,

I am writing with regard to document custodians for the Cabell County Commission. As illustrated by our most recently updated custodian chart sent on March 6, 2020, as well as the attached Exhibit A, Defendants believe that we have either reached agreement or impasse for each custodian Defendants initially sought.

Defendants requested 142 document custodians (some were accidental duplications), as well as production from sources likely to have custody of documents and ESI relating to 22 specific categories of information. In response, the County asserted that 27 custodians were third parties outside of its possession, custody or control; that 16 other custodians were City of Huntington employees; and that an additional 29 requested custodians were employees of the Cabell-Huntington Health Department, a third party. The County has objected to production of documents from any of the 20 custodians associated with the County Prosecutor's Office. In all, the County asserted either "Collection Pending" or "Collection Substantially Complete & Production in Process" for 50 requested custodians. The lists of individuals comprising these groups are provided in Exhibit A.

In reliance on the County's positions, Defendants' have taken or will take the following actions:

- Regarding the 27 third-party custodians and 16 City of Huntington custodians, Defendants have issued subpoenas, are in the process of issuing subpoenas, or have taken up the matter with City of Huntington.

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- Regarding the additional 29 custodians from the Cabell-Huntington Health Department, Defendants similarly have issued or will issue subpoenas.
- Regarding the 20 Prosecutor's Office custodians, we are at an impasse and Defendants believe that this is ripe for court intervention.
- Regarding the 50 requested custodians who you agreed to produce and asserted either "Collection Pending" or "Collection Substantially Complete & Production in Process," Defendants believe this is resolved and expect that the County will produce complete custodial files for each, including documents resulting from application of the agreed search terms. We request that you please provide an update on the timing of collection and production of these custodial files, per Mr. Bogle's email of March 13, 2020. Defendants would also like to again reiterate our request that Plaintiffs confirm that they will let Defendants know once the custodial file for a particular custodian is complete. To date, Defendants have not received any such notification that any custodial file has been fully produced.

Finally, we would like to address Mr. Farrell's email of March 6, 2020 in which he provided contact information for counsel representing the Cabell-Huntington Health Department, and the confusion surrounding document productions from that Department. In our initial discussions, the County expressed its willingness to collect documents from custodians of the Cabell-Huntington Health Department, and the County has in fact produced documents from multiple of those individuals. The County also indicated on the custodian chart that it was discussing custodial files with the Cabell-Huntington Health Department, and it represented during our January 31, 2020 meet and confer that it would continue to run search terms for 10 custodians from CHHD (we were told this would be confirmed and it never was). In light of those communications, Mr. Farrell's emails providing counsel's contact information and informing us that his firm did not represent the CHHD did not entirely clarify matters.

Whatever the source of the confusion, we believe this is largely resolved. Defendants will resort to subpoenas for documents not produced by Plaintiffs. To close out this issue, please (1) confirm that you intend to produce complete custodial files for the 17 CHHD custodians for whom the County has already produced documents and (2) notify us without delay whether the County will collect and produce documents from additional CHHD custodians.

Please let me know right away if your understanding of any of this is different from ours. Thank you for your attention to the issues addressed in this letter.

Very truly yours,

/s/ Steven J. Boranian
Steven J. Boranian

SJB:dr

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Exhibit A

In your 1.13.2020 response to our 12.31.2020 custodian request, you asserted that the following custodians are outside the possession, custody or control of the Cabell County Commission:

- **Angela Saunders** – Director of Cabell County Substance Abuse Prevention Partnership
- **Stephanie Conley** – Community Outreach Coordinator, Cabell County Substance Abuse Prevention Partnership
- **Jeannie Harrison** – Coordinator, Cabell County Substance Abuse Prevention Partnership
- **Lance Whaley** – Regional Director of Field Operations for Region 2
- **Janice McCoy** – Community Service Manager for Cabell County
- **Beverly Koerber** – Regional Manager of Cabell County Child Support Enforcement
- **Tina Mitchell** – Deputy Commissioner, Field Operations, for Regions II and IV
- **Linda Watts** – Commissioner of BCF
- **Nancy Exline** – Former Commissioner of BCF
- **Jim Weekly** – Bureau Chief Financial Officer for BCF
- **Greg Shavers** – Director of Grants and Contracts for BCF
- **Janie Cole** – Deputy Commissioner, Programs and Resource Development for BCF
- **Monica Hamilton** – Director, Family Assistance for BCF
- **Laura Bamo** – Director, Child and Adult Services for BCF
- **Sue Hage** – Former Deputy Commissioner for Office of Programs, BCF
- **Jean Sheppard** – Deputy Commissioner for Office of Operations of BCF
- **Melanie Urquhart** – Director, Office of Social Services for BCF
- **Bea Bailey** – Executive Secretary for BCF

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- **Kristina Wandzel** – Administrative Secretary for Field Operations and Programs and Resource Development, BCF
- **Josh Parlier** – Cabell County Drug Court Coordinator
- **Charles McCann** – Cabell County Drug Court, Women’s Empowerment and Addiction Recovery Track, Chief Probation Officer
- **Jennifer Wells-Browning** – Cabell County Drug Court, Women’s Empowerment and Addiction Recovery Track, Deputy Chief Probation Officer
- **Faren Block** – Cabell County Drug Court, Women’s Empowerment and Addiction Recovery Track, Probation Officer
- **Chautle Haught** – West Virginia Probation Office, Drug Court Specialist
- **Lauren Dodrill** – Cabell County Drug Court, Probation Officer
- **Matt Meadows** – Cabell County Drug Court, Probation Officer
- **Ryan Saxe** – Cabell County Board of Education Superintendent

In your 1.13.2020 response to our 12.31.2020 custodian request, you asserted that the following custodians are City of Huntington employees and that Defendants should request the files directly from the City of Huntington, as the Cabell County Commission likewise lacks possession, custody, or control of the documents for these custodians:

- **Kathy Moore** – City of Huntington Finance Director (2017-present)
- **Rick Montgomery** – City of Huntington Assistant Finance Director
- **Jan Rader** - City of Huntington Fire Chief
- **Ray Canafax** – City of Huntington Fire Deputy Chief
- **Justin Antle** – City of Huntington Fire Deputy Chief
- **Steve Williams** – City of Huntington Mayor
- **Cathy Burns** – Executive Director, Former/Acting City Manager, City of Huntington
- **Sherry Lewis** – City of Huntington Human Resources Director

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- **Scott Lemley** - City of Huntington Planning and Development Director; former member of Mayor's Office of Drug Control Policy
- **Bryan Chambers** - City of Huntington Communications Director
- **Kim Bailey** – City of Huntington Purchasing Director
- **Jim Johnson** - City of Huntington Former Director of Mayor's Office of Drug Control Policy
- **Jim Insko** – City of Huntington Public Works Director
- **Breanna Shell** - City of Huntington Planning Director
- **Kohson Perkins** – City of Huntington IT Director
- **Brandon White** – City of Huntington Former IT Director

The Cabell-Huntington Health Department employees, some of which have been produced, and whom Defendants have decided to subpoena documents from:

- **Michael Kilkenny** – Physician Director at Cabell-Huntington Health Department
- **Timothy Hazelett** – Administrator, Cabell-Huntington Health Department
- **Elizabeth Adkins** – Health and Wellness Director, Public Information Officer and Public Health Educator, Cabell-Huntington Health Department
- **Kathleen Napier, R.N.** – Nursing Director, Cabell-Huntington Health Department (2018-present)
- **Michelle Perdue** – Harm Reduction Coordinator, Cabell-Huntington Health Department
- **Jack Mease** – Accountant, Cabell-Huntington Health Department
- **Casey Napier** – Accreditation Coordinator, Cabell-Huntington Health Department
- **Kim Lockwood** – Epidemiology, Cabell-Huntington Health Department
- **Allen Woodrum** – Director of Information Technology, Cabell-Huntington Health Department

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- **Elizabeth Ayers** – Past PH Educator/PIO, Cabell-Huntington Health Department
- **Jenny Erwin** – Past SNS Back-up, Cabell-Huntington Health Department
- **Nancy Hall** – Past Administrative Services, Cabell-Huntington Health Department
- **Stanley Mills** – Past Program Manager, Cabell-Huntington Health Department
- **Harry Tweel, MD** – Past Physician/Director, Cabell-Huntington Health Department
- **Jesse Boner** – Past IT, Cabell-Huntington Health Department
- **Laura Johnson** – Secretary, Cabell-Huntington Health Department
- **Karen Hall-Dundas** – Environmental, Sanitarian Supervisor, Cabell-Huntington Health Department
- **Rodney Melton** – Chief Sanitarian, Cabell-Huntington Health Department
- **Fred Kitchen** – Board of Directors, Cabell-Huntington Health Department
- **Dan Konrad** – Board of Directors, Cabell-Huntington Health Department
- **Danny Porter** – Board of Directors, Cabell-Huntington Health Department
- **Donna Rumbaugh** – Board of Directors, Cabell-Huntington Health Department
- **Robert Sweeney** - Board of Directors, Cabell-Huntington Health Department
- **Kevin Yingling** – R.Ph., MD - Board of Directors, Cabell-Huntington Health Department
- **Tom Gilpin** – Past Chair of Board of Directors, Cabell-Huntington Health Department
- **Harriet Cyrus** – Past Board of Directors, Cabell-Huntington Health Department
- **Gregory L. Howard, Jr.** – Past Board of Directors, Cabell-Huntington Health Department
- **Sally Oxley, PT** – Past Board of Directors, Cabell-Huntington Health Department
- **Omayma T. Touma, MD** – Past Board of Directors, Cabell-Huntington Health Department

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In our meet and confer from 1.29.2020, Plaintiffs stated that they would not produce custodial files for the following requested Prosecutor's Office employees:

- **Sean Hammers** – Prosecutor at Cabell County Prosecutor's Office (2014-present)
- **Chris Chiles** – Former Prosecutor at Cabell County Prosecutor's Office (2006-2013)
- **Charles W. Peoples Jr.** – Assistant Prosecutor at Cabell County Prosecutor's Office
- **Kellie M. Neal** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Jara L. Howard** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Lauren E. Plymale** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Kent L. Bryson** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Margaret Phipps Brown** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Sharon M. Frazier** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Joe Fincham** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Ryan Hamady** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Sherron Hornbuckle** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Jason Spears** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Sarah Dixon** - Assistant Prosecutor at Cabell County Prosecutor's Office
- **Tim Murphy** – Investigator at Cabell County Prosecutor's Office
- **Dawn Drown** – Victim Advocate at Cabell County Prosecutor's Office
- **Jeremy Bailey** - Victim Advocate at Cabell County Prosecutor's Office
- **Steve Kern** - Victim Advocate at Cabell County Prosecutor's Office
- **Tim Murphy** – Investigator at Cabell County Prosecutor's Office
- **Madeline Pearson** – Information Technology Specialist at Cabell County Prosecutor's Office

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In Plaintiffs' status updates to the Cabell Huntington custodian chart received on 2.24.2020, for the following custodians you asserted either "Collection Pending" or "Collection Substantially complete & Production in Process":

- **Chuck Zirkle, Jr.** – Cabell County Sheriff (2017-present)
- **Doug Adams** – Chief Deputy at Cabell County Sheriff's Office (2017-present)
- **Lt. Dan Ennix** – Detective at Cabell County Sheriff's Office (2016-present)
- **Tom McComas** – Former Sheriff at Cabell County Sheriff's Office (2009-2016)
- **Kim Wolfe** – Former Sheriff at Cabell County Sheriff's Office (2001-2008)
- **Doug Ferguson** – Former Chief Deputy at Cabell County Sheriff's Office (2009-2016)
- **James Sheidler** – Former Chief Deputy at Cabell County Sheriff's Office (2006-2008)
- **Dan Marcum** – Information Technology Specialist at Cabell County Sheriff's Office
- **Samantha Childers** – Chief Tax Deputy at Cabell County Sheriff's Office (Tax Division)
- **Betty Bates** – Former Chief Tax Deputy at Cabell County Sheriff's Office (Tax Division)
- **Irv Johnson** – Cabell County Assessor (2016-present)
- **Ottie Adkins** – Cabell County Assessor (2006-2015)
- **Phyllis Smith** – Clerk at Cabell County Clerk (2016-present)
- **Jeff Hood** – Clerk at Cabell County Circuit Court (2016-present)
- **Adele Chandler** – Former Clerk at Cabell County Circuit Court (2006-2015)
- **Faye Allen** – Office Manager at Cabell County Circuit Court (2006-2015)
- **Janet McCoy** – Office Manager at Cabell County Circuit Court (2016-present)
- **Connie Priddy** – Compliance Officer/QRT Coordinator at CCEMS (2017-present); Corporate Compliance at CCEMS (2011-present)
- **Gordon Merry** – Director, CCEMS (2011-present)

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- **Stephen Murray** – Assistant Director, CCEMS (2006-present)
- **David Wright** – Medical Director CCEMS (2006-present)
- **Brenda Webb** – IT at CCEMS (2011-present)
- **Larresca Cox** – Paramedic at CCEMS (2013-present)
- **Suzanne Frye** – Accounts Payable at CCEMS (2018-present)
- **Rose Woodrum** – Medical Billing Manager at CCEMS (2017-present)
- **Anne Margit Blankenship** – Administrative Secretary at CCEMS (2006-present)
- **Steve Vititoe** – Logistics/Paramedic at CCEMS (2006-present)
- **Joe Whitt** – IT at CCEMS (2009-2010)
- **Mary Beth Steele** – Accounts Payable at CCEMS (2010-2017)
- **Tracey McComas** – Medical Billing Manager at CCEMS (2010-2017)
- **Mike Davis** – Director of Cabell County 911 (2006-present)
- **Mike Tatum** – Assistant Director of Cabell County 911 (2006-present)
- **Natalie McComas** – Shift Supervisor of Cabell County 911 (2006-present)
- **Dan Marcum** – IT of Cabell County 911
- **J.R. Van Ottingham** – IT of Cabell County 911
- **Nancy Cartmill** – Cabell County Commissioner, County Commission President
- **Kelli Sobonya** – Cabell County Commissioner
- **Jim Morgan** – Cabell County Commissioner
- **Beth Thompson** – Administrator at County Commission
- **April Saunders** – Assistant Administrator at County Commission (2015-present)
- **Sandy Davis** – Purchasing Agent at County Commission

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- **Greg Shoemaker** – IT at County Commission, Sheriff, County Clerk, Circuit Clerk (2017-present)
- **Ann Yon** – Former Cabell County Commissioner
- **Scott Bias** - Former Cabell County Commissioner
- **Bob Bailey** - Former Cabell County Commissioner
- **Chris Tatum** - Former Administrator at Cabell County Commission
- **Steve Zoeller** - Former Administrator at Cabell County Commission
- **Ryan Cole** - Former Assistant Administrator at Cabell County Commission
- **Clayton Bates** – Former IT at Cabell County Commission
- **Joseph Whitt** - Former IT at Cabell County Commission

We further requested production from sources likely to have custody of documents and ESI relating to:

- Executive leadership
- Plaintiff's organizational structure
- Law enforcement
- Courts and other judicial bodies (including but not limited to drug courts)
- Prosecution of civil and criminal offenses
- Child and family services
- Regulation of the provision of healthcare
- Regulation of prescription medicines (including but not limited to FDA and other governmental regulators)
- Regulation of controlled substances (including but not limited to DEA and other governmental regulators)
- Budget, finance, and expenditures (including but not limited to former County Clerks)

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- Fire, rescue, and emergency services
- Public health
- Addiction or mental health services
- Local hospitals and other healthcare providers
- Pharmacies and the dispensing of prescription drugs
- Social services (including but not limited to services for homelessness)
- Human resources
- Investigation of drug overdose (including but not limited to medical examiners and coroners)
- Correctional facilities and jailers
- Pharmacy benefit managers
- Benefits plans (public and private)
- “Task forces” or comparable bodies related to drug use (including but not limited to those who worked on the City-County Task Force Addressing Heroin and Opioid Abuse)